

**DEPARTMENT OF FINANCE AND ADMINISTRATION
CONDUCT AND DISCIPLINARY POLICY**

ATTACHMENT F

DEPARTMENT OF FINANCE AND ADMINISTRATION CONDUCT & DISCIPLINARY STANDARDS

I. PURPOSE

These standards are established to provide a uniform guideline concerning work-related behaviors, which define and convey the expectations of DFA to its employees.

All published DFA Policies and Procedures are established to provide guidance for appropriate employee conduct. This document is intended to explain the disciplinary measures that might be taken by the agency's management and supervisors for violation of those policies and procedures. Nothing herein is intended to imply that any standard or expectation is all inclusive. Standards are intended to identify recurring or common deviations from acceptable work-related behaviors, in an effort to create and maintain a high level of professional conduct.

For the purposes of the DFA Career Ladder Incentive Program (CLIP), "unsatisfactory conduct" is defined as any disciplinary action equal to or greater than a written action. Counseling and verbal disciplinary actions, while documented in writing, are not defined as unsatisfactory for CLIP review purposes.

Nothing in this policy is to be construed as an employment contract between DFA and the employee. DFA adheres to the Arkansas Employment-At-Will doctrine.

ALL DISCIPLINARY ACTIONS MUST BE SUBMITTED TO THE DFA HUMAN RESOURCES MANAGER FOR INCLUSION IN THE EMPLOYEE'S OFFICIAL PERSONNEL FILE.

II. POLICY

General Disciplinary Measures

It is the policy of DFA that management shall establish a work climate that promotes productivity. Management shall also communicate job expectations and behavioral expectations to all employees.

Discipline applied by supervisors should be aimed at improving employee behavior, not punishing the employee. Behavior is defined as actions or lack of actions by employees related to work rules, office mission, and/or safety of themselves, co-workers, and customers. The following sequence of steps is provided to assist supervisors with the disciplinary process:

- (1) Verbal warning recorded in the employee's personnel file.
- (2) Written warning recorded in the employee's personnel file.
- (3) Suspension without pay. (For exempt employees, a five (5) day minimum suspension is required.)
- (4) Termination.

Should disciplinary measures be necessary, they should be applied immediately, consistently, and impartially.

Supervisors are required to:

- Maintain good records and documentation;
- Investigate the violation and circumstances surrounding the incident;
- Equate the severity of the discipline to the violation, not the person;
- Discipline in private; and

Warn employee of the consequences of repeat offenses.

This sequence of steps in the disciplinary process is recommended for most violations. Some violations initially may require implementation of more severe disciplinary action, including immediate dismissal. Supervisors should consult with the DFA Personnel Manager regarding extreme or severe situations.

Disciplinary Measures for Unauthorized Absences

Employees who are absent from work without authorization will have their pay reduced (docked) by an amount equal to the length of time of the absence computed at the employee's rate of pay in effect at the time of the absence.

Unauthorized absences are those occurring:

- (1) when an employee has not obtained required advance approval for leave or
- (2) has exhausted all leave balances and leave has not been approved for other available types of authorized leave (i.e., regular Leave Without Pay, Family and Medical Leave, Maternity Leave, Catastrophic Leave, Military Leave, and Court/Jury Duty Leave).

Employees who are absent due to a work-related injury or illness and who are receiving Workers' Compensation benefits are exempt from this policy. Supervisors may use their discretion in determining whether a particular absence should be authorized or unauthorized LWOP.

Employees receiving four docks due to unauthorized absences in any twelve consecutive month period shall be terminated. The following disciplinary measures should be implemented when an employee is absent from work without authorization:

1st Dock Verbal Warning

On the occasion of the first dock, the supervisor will counsel the employee regarding the unauthorized dock and the consequences of repeat absences without authorization. The verbal warning is to be recorded in writing, signed by the employee acknowledging receipt of the warning, and placed in the employee's personnel file.

2nd Dock Written Warning

On the occasion of the second dock, the supervisor will prepare a written warning to be recorded, signed by the employee acknowledging receipt of the warning, and placed in the employee's personnel file. The written warning must reference the first dock/verbal warning and define the disciplinary action for further unauthorized docks.

3rd Dock Suspension Without Pay For Three Days (For Exempt Employees, a Five Day Minimum Suspension is Required)

On the occasion of the third dock, the supervisor will prepare a written disciplinary action referencing the two previous unauthorized docks, stating the dates of the suspension and defining the disciplinary action for the fourth dock. It is to be signed by the employee acknowledging receipt and placed in the employee's personnel file.

4th Dock Termination

On the occasion of the fourth dock, the supervisor will prepare a written disciplinary action referencing the three previous unauthorized docks and state the date of termination.

Should an employee refuse to sign any documentation of disciplinary action, the supervisor should have another supervisor or manager sign, confirming the disciplinary action.

Disciplinary Measures for Leave Abuse

Abuse and/or excessive use of any type of leave is not acceptable within DFA. Documented abuse and/or documented excessive use of any type of leave shall be cause for disciplinary action.

Types of leave established by Arkansas State laws include: annual, sick, birthday, military, court and jury, compensatory, educational, leave without pay, family and medical, maternity, holiday, and catastrophic leave.

Abuse: inappropriate use or misuse of any type of leave; also includes unauthorized use of leave.

Example: using sick leave for a purpose other than intended by law and/or policy.

Excessive: taking leave in inappropriate amounts; chronic absenteeism (may be indicated by patterns of attendance or lack of attendance).

Example: use of leave soon after accrual (may result in a zero balance).

If a pattern of sick leave abuse or excessive use is identified, an employee may be required to furnish a certificate from an attending physician for any use of sick leave.

Disciplinary options for leave abuse offenses are explained elsewhere in these standards.

Additional Conduct and Disciplinary Standards

Additional conduct and disciplinary standards may be added, or existing standards revised, on the direction of the DFA Director or Deputy Director. Every effort will be made to adequately inform all DFA employees of any such changes.

Employees who are

III. SCOPE

This policy shall apply to all employees within the Department of Finance and Administration.

IV. RESPONSIBILITIES

Employee

- * Shall become familiar with and understand the conduct standards
- * Shall avoid deviation from the conduct standards

- - * Shall participate in good faith in any administrative investigation

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- - hall report to supervisory personnel any condition(s), circumstance(s), unclear instruction(s), or procedure(s) which may affect or prevent satisfactory compliance with the conduct standards

- - * Shall comply with any corrective action plans or instructions following a deviation from these standards

Supervisor/Management

- - * Shall ensure that all employees are informed of the agency-wide and office-specific conduct standards (and any subsequent revisions). This will include education of employees concerning explanation of the rules, why the rules are important, and conveyance of expectations.

- - * Shall monitor employee behaviors to determine deviations from the conduct standards

- - * Shall determine any discipline to be assessed, based upon these procedural guidelines and the effect, if any, of mitigating, extenuating, or aggravating circumstances

- - * Shall document each disciplinary action, to include specific and factual detail, cause for the action, including applicable standard(s), plus justification for deviation from the standard, if appropriate

- - * Shall specify, if appropriate, the conduct expected in the future and the next level of discipline should the behavior reoccur.

- - * Shall submit all disciplinary actions to the DFA Human Resources Manager for inclusion in the employee's official personnel file.

All questions or concerns regarding these conduct and disciplinary standards should be addressed to the appropriate supervisor, manager, or administrator, the DFA Human Resources Manager, or the DFA Director or Deputy Director.